



Farragut Files Follies - #1



March 31, 2023

Farragut Files Follies - The accusations and insinuations of wrongdoing continue without any actual evidence to back up the false claims. Regarding the accusations of violations of Tennessee's Open Meetings Act, the following provides some clarity.

According to the Municipal Technical Advisory Service (MTAS), "[a] two-pronged test must be used to analyze a meeting to determine if the Tennessee Open Meetings Act (hereinafter "TOMA") applies. First, a city/town must determine if the entity that is planning to meet is a "governing body" as defined in the TOMA. If the answer to that question is yes, it must then be determined if the governing body will be deliberating towards or making decisions on public business during the course of the meeting."

<https://www.mtas.tennessee.edu/reference/governing-body>

Reaching out to a developer to encourage him to meet with Town staff to explore a potential opportunity to develop/redevelop land in the Town is NOT deliberating toward or making a decision on public business as required by TOMA.

Additionally, while it is alleged that two FBA board members were involved in reaching out to the developer regarding this opportunity, there is no evidence that they did so together, in a meeting.

Further, while FBA board meetings are considered public meetings due to the fact that Town of Farragut funds constitute more than 30% of the FBA's funding, TN Supreme Court case law brings into question whether the FBA board is considered a governing body, as the FBA board members have no authority to make decisions for or recommendations to a public body on policy or administration. *Dorrier v. Dark*, 537 S.W.2d 888 (Tenn. 1976)

Finally, all deliberations towards a decision, all recommendations and all decisions regarding the actual Biddle Farms project were discussed during public meetings, were adequately publicly noticed and include minutes of those meetings. The MPC discussed the Biddle project during its April 2020, May 2020, July 2020, August 2020, September 2020, November 2020 and December 2020 meetings. The BoMA discussed the Biddle project during its January 14, 2021 and January 28,

2021 meetings. All of the agendas and minutes for these meetings can be found on the Town's website, Further all the videos for these meetings can be found on the Town's Youtube channel.

Additionally, due to the Covid pandemic, all the Staff/Developer workshop meetings that were held virtually were recorded, as well. The recorded meetings during which the Biddle project was discussed were March 31, 2020; May 5, 2020; August 4, 2020; September 1, 2020; September 29, 2020; November 3, 2020 and December 1, 2020. You can view those meetings on the Town's youtube channel as well.

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February 04, 2023



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McFee Road Land Purchase - Access Easement

September 16, 2023

The Town is not required to build a road in the access easement, we are only required to provide an access easement. During its June 22, 2023, Board of Mayor and Aldermen meeting, the Board approved the Letter of Intent (LOI) to purchase the McFee Road proper ...

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Farragut FYI

June 09, 2021

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